

### **REMARKS/ARGUMENTS**

The present amendment and remarks are in response to the Office Action dated October 30, 2007. Applicants have filed, herewith, a two month extension of time.

Claims 1-6, 10-15, 17-19, 22 and 23 are active in the present application. Claims 1-3 and 17 have been currently amended. Claims 7-9, 16, 20 and 21 have been canceled. New Claims 22 and 23 have been added.

Claims 1-3 and 17 were amended to remove the parentheses in these claims. The amendments to these claims now obviate the Examiner's objection to these claims.

Claims 1 and 17 were amended to include an upper limit on the Brookfield Viscosity, as shown in each claim. Support for each amendment can be found on pages 11 and 19 of the specification. Support for new Claims 22 and 23 can be found on pages 19 and 20 of the specification. No new matter is believed to have been introduced by the amended and new claims.

The specification was amended, as shown above, to add a paragraph on related applications. No new matter is believed to have been introduced by the amendment to the specification.

#### **Claim Rejections under 35 U.S.C. § 103(a) and 35 U.S.C. § 102(b)**

The Examiner rejected Claims 1-7, and 9-19 under 35 U.S.C. § 103(a), as unpatentable over U.S. Patent 5,858,491 (hereinafter the '491 patent), in view of U.S. Patent 6,107,430 (hereinafter the '430 patent). Applicants respectfully traverse for the following reasons.

The '491 patent does not teach or suggest the invention as claimed. The '491 patent requires a low density, linear ethylene interpolymers that has a melt index (I2) from 0.5 to 5 g/10 min (see abstract; column 2, lines 51-55; column 3, lines 1-3 and 42-49; column 8, line 53 to column 9, line 7; column 12, lines 35-41; column 13, line 30 to column 14, line 29). Thus the '491 patent teaches away from a linear ethylene interpolymers that has a melt index outside of 0.5 to 5 g/10 min.

The Brookfield viscosities (350°F, spindle 31) of several ethylene-based polymers, each with a melt index (I2) of 5 g/10 min, or more, were measured. The Brookfield viscosity of each sample was greater than the maximum viscosity reading on the viscometer, or greater than 109,976 cP. The following polymers were analyzed: (a) Engage<sup>TM</sup> 8200 (homogeneously branched substantially linear ethylene-base interpolpolymer with a melt index of 5 g/10 min), (b) Exact<sup>TM</sup> 3139 (a homogeneously branched linear ethylene-based interpolpolymer with a melt index of 7.5 g/10 min), (c) Dowlex<sup>TM</sup> 2035 (linear low density ethylene-based interpolpolymer with a melt index of 6 g/10 min), (d) a LDPE with a melt index of 5.5 g/10 min. Since the Brookfield viscosity is inversely proportional to melt index, the Brookfield viscosity (350°F) of an ethylene-based polymer with a melt index of 5 g/10 min, or lower, is clearly outside the claimed range of 500 cP to 70,000 cP. As discussed above, the '491 patent teaches away from a linear ethylene interpolpolymers that has a melt index outside the range of 0.5 to 5 g/10 min. The '430 patent does not overcome the deficiencies of the '491 patent.

For at least the above reasons, the '491 patent, in view of the '430 patent, does not teach or suggest the invention as claimed. Applicants respectfully request the withdrawal of this rejection.

The Examiner rejected Claims 7, 9 and 16 under 35 U.S.C. § 102(b), as anticipated by U.S. Patent 6,403,710 (hereinafter the '710 patent). Applicants have canceled Claims 7, 9 and 16, rendering this rejection moot. Applicants respectfully request the withdrawal of this rejection.

The Examiner rejected Claims 20 and 21 under 35 U.S.C. § 103(a), as unpatentable over the '710 patent, in view of U.S. Patent 6,756,447 (hereinafter the '447 patent). Applicants have canceled Claims 20 and 21, rendering this rejection moot. Applicants respectfully request the withdrawal of this rejection.

Applicants submit that the present amendment is now in condition for allowance, and request early notice of such action. If further issues remain, Applicants respectfully request that the Examiner call Applicants' undersigned representative.

Respectfully submitted,

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